

December 3, 1963

Mr. J. E. Garry
Chief of Police

Subject: Arrest of Lee Harvey Oswald

Sir:

On November 22, 1963, I was assigned to work at the Trade Mart where the President was scheduled to speak. When it was announced that the President had been shot, Captain O. A. Jones told me to take three men and report to the vicinity of the Court House.

Detective J. B. Toney, M. A. Buhk, E. E. Taylor and myself left the Trade Mart going south on Industrial Blvd. When we reached Oak Lawn Avenue, the police dispatcher requested all available squads to report to vicinity of East Jefferson and Tenth Street. I checked out to this location. Prior to arrival at Jefferson and Tenth, we received information that suspect was seen going into the Public Library at Marsalis and Jefferson. We checked this out and found it to be a false report. We continued to cruise in the area and were at Davis and Llewellyn when we received information that the suspect was seen running into the Texas Theatre. We went to the Texas Theatre. I instructed Detective Buhk to remain with the radio and Toney, Taylor and I went into the theatre. We were told that the suspect was in the balcony. We were questioning a young man who was sitting on the stairs in the balcony when the manager told us the suspect was on the first floor. When I reached the seating area on main floor, several officers were in the process of disarming and handcuffing the suspect. The suspect yelled "I know my rights, this is police brutality". I did not see anything that indicated that any more force was used than was absolutely necessary to effect the arrest.

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I told the uniform officers to take the suspect to the City Hall. The front door of the theatre was locked and Toney, Taylor and I searched the first floor and interviewed the occupants that were seated near where the suspect was arrested.

One of the witnesses who was seated near the scene of the arrest was brought to the City Hall, Room 315, where Detective Toney took an affidavit from him.

Respectfully,

C/E E. L. Cunningham

E. L. Cunningham
Lt. of Police
Forgery Bureau

ELC:ms

Copied by MM - 12-5-63